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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/341,207	07/07/1999	FRIEDBERT CRUSIUS	P99.1248	4875

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SCHIFF HARDIN & WAITE
Patent Department
6600 Sears Tower
Chicago, IL 60606-6473

EXAMINER

YUAN, ALMARI ROMERO

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 03/26/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

PRG

Office Action Summary	Application No. 09/341,207	Applicant(s) CRUSIUS, FRIEDBERT	
	Examiner Almari Yuan	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Appeal Brief filed on 1/05/04.
2. The rejection of claims 1-10 under 35 U.S.C. 102(e) as being anticipated by Truong has been withdrawn based on newly found art.
3. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.
4. Claims 1-10 are pending in the case. Claim 1 is independent claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Ferrel et al. (USPN 6,230,173 B1 – filed on 07/1995).**

Regarding independent claim 1, Ferrel discloses:

A method for generating a group of page files formatted in a page markup language, for storage in a data server device of a data networking system through which the page files are addressable

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by a multiplicity of data processing user systems and are transferable to the user systems (Ferrel discloses a authoring environment for creating structured documents formatted in a Multimedia Publishing Markup Language (on col. 3, line 39 – col. 4, lines 18, see abstract))comprising the steps of:

drawing up a data record-structured author file up on a data processing authoring system which is connectable to the data server device via a transmission line (on col. 9, lines 26-34 and col. 24, lines 10-59 teaches the stored title can be retrieved for changes), in which author file text and graphic information is editable within a respective data record and reference information about data records of data record-structured files which is addressable in the DP authoring system is insertable (on col. 4, lines 9-18 teaches inserting text and objects within the document; on col. 6, lines 57-62 teaches links between content and page layout; on col. 24, lines 10-59 teaches a content saved to a file can be linked with the title);

sending the author file to a format generator device of the authoring system, by which a respective page file is generated in the page markup language from the data records of the author file and from the data records which belong to the data record-structured files and are marked by reference information (on col. 22, lines 10-18 and col. 24, lines 26-34 teaches generating a MPML file from the created title file with linked content to be published to the server);

generating a respective page markup language-specific link control address addressing the page file associated with the marked data record being generated from reference information added to the data records and being stored in the page file associated with the data record containing the reference information inserted in the data records (on col. 7, lines 5-40 teaches page containing controls which contain instructions for displaying linked content onto the page);

transmitting the generated page files that provided with page markup language-specific link control addresses, to the data server device via the data transmission line (on col. 24, lines 43-50 teaches the content with its linked title layout can be published to a server and on col. 7, lines 5-40 teaches the content objects are viewed after being formatted by a link control).

Regarding dependent claims 2-3, Ferrel discloses:

wherein reference information about other data records of data record-structured files which is addressable in the authoring system is addable to data records of the data record-structured files which are addressable in the authoring system (on col. 24, lines 35-36 teaches content has been selected and linked to a title).

Regarding dependent claim 4, Ferrel discloses:

wherein the author file is a data record-structured file which is already addressed in the authoring system (on col. 24, lines 16-23 teaches MDF file).

Regarding dependent claim 5, Ferrel discloses:

wherein an item of reference information about files structured free of data records which is addressable in the authoring system is addable (on col. 4, lines 10-18 teaches inserting objects and text into the document and col. 6, lines 47-62 teaches content linked to page layout).

Regarding dependent claim 6, Ferrel discloses:

wherein the information stored in data record-structured files is subdivided into information modules to which at least one individual structure address is assigned, wherein each information module is stored together with its individual structure address in a respective data record, and wherein an item of reference information about a data record of a reference file is added in that, by visualization of the structure addresses filed in the reference file, on of the

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structure addresses is selectable (on col. 24, lines 10-59 teaches saving content into a file to link with a particular title; wherein the title comprises a collection of page layouts (on col. 8, lines 43-47)).

Regarding dependent claim 7, Ferrel discloses:

wherein when selecting a data record already stored in the data server device as a page file, a page markup language-specific link control address addressing this page file is generated and is temporarily stored in a data field of the data record holding the reference information (on col. 7, lines 5-30 teaches link control for addressing the content objects in a document).

Regarding dependent claim 8, Ferrel discloses:

wherein the structure address is one of an item of text information or an item of numerical information (on col. 27, lines 22-50 teaches hypertext links).

Regarding dependent claim 9, Ferrel discloses:

wherein a data record-structured file in the authoring system is addressable only if the page files assigned to data records thereof are already stored in the data server device, and wherein a page file is transmitted only if it is not yet stored or a change has been made to information content thereof, in particular of link control addresses (on col. 24, lines 10-59 teaches the content and title layout are stored in the server to have the data available to customers of the on-line system).

Regarding dependent claim 10, Ferrel discloses:

wherein the stored pages files are displayed in the user systems with navigation control fields which allow leafing through a group of page files to a logically next or preceding page file while avoiding activation of corresponding forward functions of a page access device (on col.

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40-45 teaches browsers to facilitate the navigation of documents and see figure 5, item 334 teaches customers view and navigate released titles).

Response to Arguments

7. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almari Yuan whose telephone number is 703-305-5945. The examiner can normally be reached on Mondays - Fridays (8:30am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild, can be reached on 703-305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AY
March 21, 2004


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER